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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/922,837	08/07/2001	Tomotoshi Sato	210263US-2	8604
22850 7590 10/17/2008 OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				
EXAMINER TRUONG, LAN DAI T				
ART UNIT 2452		PAPER NUMBER		
NOTIFICATION DATE 10/17/2008		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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**Advisory Action
Before the Filing of an Appeal Brief**

Application No. 09/922,837	Applicant(s) SATO, TOMOTOSHI
Examiner LAN-DAI Thi TRUONG	Art Unit 2152

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 01 October 2008 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 03 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.
NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: none.

Claim(s) objected to: none.

Claim(s) rejected: 1,3-6,8-11,13-18,20-28,30-36 and 41-48.

Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.

12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____

13. ☐ Other: _____.

/Kenny S Lin/
Primary Examiner, Art Unit 2452

Continuation of 11, does NOT place the application in condition for allowance because:

1. The previous 112 rejection is withdrawn responding to applicant's amendments to claim 11.
2. In response to applicant's arguments with respect to the cited references do not teach feature of "a management unit disposed in an image forming device that manages other image forming device" are not persuasive for follow reasons: a) the features upon which applicant relies (i.e., a management unit disposed in an image forming device that manages other image forming device) are not recited in the rejected claim(s). The claim original was disclosed as "a management unit configured to manage the plurality of other image forming devices and said image forming device". Although the claims are interpreted in light of the specification, however limitations from the specification are not read into the claims; b) Nishio teaches a network includes a printer server computer (1208) which capable to manage local printers or remoter printer (2109a, 1209b) , see (Nishio: figure 12, items 1208, 2109a, 1209b, 1201, 1203, 1204; [0051]-[0053]).
3. In response to applicant's arguments with respect to Denman does not describes feature of "a selection unit, provided in said image forming computer, configured to select a managing image forming device to manage the plurality of other image forming devices and said image forming device" are not persuasive. This limitation is rejected under combination of Nishio and Denman. Nishio discloses a network includes a printer server computer (1208) which capable to manage local printers or remoter printer (2109a, 1209b), see (Nishio: figure 12, items 1208, 2109a, 1209b, 1201, 1203, 1204; [0051]-[0053]); while Denman covers shortcomings from Nishio (i.e. a selection unit configured to select a managing device to manage the plurality of other devices and said device). In particularly, Denamn discloses a group of interconnected nodes. Each node is configured to select a coordinator node (known as managing node) out of the group. The coordinator node capable to control itself (e.g. reset/ and initialization/ and control the TPA selection process) and control configurations for all other nodes in the group (Denamn, abstract; column 2, lines 1-22; column 3, lines 46-60; column 4, lines 1-9; figure 1; figure 4; column 4, lines 1-15). The coordinator node includes self control function (Denamn, figure 1; abstract; figure 4).
4. In response to applicant's arguments with respect to Denman does not describe the nodes are separate image forming device, the office respectfully notes that Denman is used to cover shortcomings from Nishio (i.e. a selection unit configured to select a managing device to manage the plurality of other devices and said device) not feature of "image forming device" which is taught by Nishio, see (Nishio: figure 12, items 1208, 2109a, 1209b, 1201, 1203, 1204; [0051]-[0053]) .

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lan-Dai Thi Truong whose telephone number is 571-272-7959. The examiner can normally be reached on Monday- Friday from 8:30am to 5:00 pm.